

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268

In the Matter of:

The Rio Nido Community Post Office
Rio Nido, California 95471

Docket No. A2017-2

Petitioners Rio Nido Homeowners Association, Friends of Rio Nido, a 501(c)(3) non-profit, and Rio Nido residents Carol Marvel, Susan Lijedahl, Cathy DeBrito, Johnnie Etheridge, Marsee Henon, Pip Marquez de la Plata, Alexandra Goodman, Ingrid Emming, Kim Holliday, Troy Held, Douglas Misner, Beverly Bird Misner, John Calonico, Nate Lester, Courtney Coburn, Melanie Curran, Dan Blanchard, Gene Tygielski, Howard Dernberger, Donovan Smandra, John Uniak, and Helena Hallum.

AMENDED PARTICIPANT STATEMENT

1. Petitioners are appealing the Postal Services' Final Determination to close the Rio Nido Community Post Office. The Final Determination was posted on June 15, 2017. The case does not fall within the contract post office exception because Rio Nido customers are not eligible for carrier delivery, and the facts of our case are unique. The Rio Nido station is also the sole source of postal service for Rio Nido. In addition, this case involves discrimination under 39 U.S.C. § 403(c)

2. In accordance with applicable law, 39 U.S.C. § 404(d)(5), the Petitioners request that the Postal Regulatory Commission review the Postal Services' Final Determination on the basis of this petition, the Administrative Record in the making of their Final Determination, and such additional evidence as is provided herein.

3. Petitioners Friends of Rio Nido, the Rio Nido Homeowners Association, and Rio Nido residents Carol Marvel, Susan Lijedahl, Cathy DeBrito, Johnnie Etheridge, Marsee Henon, Pip Marquez de la Plata, Alexandra Goodman, Ingrid Emming, Kim Holliday, Troy Held, Douglas Misner, Beverly Bird Misner, John Calonico, Nate Lester, Courtney Coburn, Melanie Curran, Dan Blanchard, Gene Tygielski, Howard Dernberger, Donovan Smandra, John Uniak, and Helena Hallum hereby appeal from the Postal Services' Final Determinations concerning closing the Rio Nido Post Office, and request that the determination be reversed, and request an immediate stay of the decision, pending a final determination by the Postal Regulatory Commission (PRC).

4. The decision to close the Rio Nido Post Office came with less than 5 days' notification to residents. A printed notice dated June 15, 2017 was delivered to all box holders on Friday, June 16, 2017 stating that postal services would be terminated on June 20, 2017 and that the boxes would be physically removed from the premises on June 30, 2017, and relocated to Guerneville more than two miles away from Rio Nido. This action is clearly in violation of the PRC procedures which require a 60-day notice to

residents, an opportunity for public comment on the proposed closure, and an option for official complaint at either the local or district Post Offices.

5. Closure of the Post Office and moving our postal service and delivery to Guerneville, a location over 2.1 miles away, would place an unfair and undue burden on the residents of Rio Nido, many of whom have limited income and do not own cars, and/or are disabled. There is no regular bus service in the area [buses run on average every 2-3 hours, which would make picking up mail an all-day endeavor] that would allow public transportation to be a reasonable and viable option for those without vehicles.

6. Additionally, the Guerneville Post Office is only accessible during regular business hours, as lobby box access opens at 9:00 a.m. and ends at 5:00 p.m. M-F and at 11:30am on Saturdays. These extremely limited hours will make mail retrieval very difficult, and in many cases impossible, for those who commute to work and are unable to get to the Guerneville post office before the doors are locked at 5:00 p.m. The lack of Saturday window service at the proposed location will also make package retrieval nearly impossible for commuters who can't access window service between 9-5 p.m. M-F. The Rio Nido Post Office is the only post office within a 15+ mile radius that provides window service on Saturdays.

7. Rio Nido residents who would be unable to make it to the Guerneville post office on account of work include, but are not limited to petitioners Marsee Henson, Nate Lester, Courtney Colburn, Melanie Curran, Dan Blanchard, and Helena Hallum, and include many other Rio Nido residents.

8. Rio Nido residents who are disabled and would have difficulties getting to the Guerneville Post Office include, but are not limited to, petitioners Cathy DeBrito and Johnnie Etheridge, and include many other residents.

9. Rio Nido residents who can't drive included, but are not limited to, Carol Marvel and Susan Liljedahl, and include many other residents.

10. Petitioners, like most Americans, like to have their mail Monday through Saturday. There are approximately 1,000 residents in Rio Nido, and if only half of them travel approximately 2.1 miles by car to pick up their mail six days a week, that would add, conservatively, 12,000/week extra miles driven by Rio Nido residents that aren't currently driven: 500×4.2 (average distance round trip) = 2100, $\times 6$ days a week = 12,600 extra miles driven per week.

11. The official reason given for this closure was "The projected steady decline in customer visits to the CPO is indicative that the 'market' for postal needs is continuing to decline in the Rio Nido area, while at the same time the firm-fixed CPO contract exceeds USPS revenue needed to sustain it." It is clear, however, that the USPS cannot use profitability as the sole reason to close Post Offices that serve small, rural communities, even if they are not self-sustaining: "The Postal Service shall

provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns where Post Offices are not self-sustaining. No small Post Office shall be closed solely for operating at a deficit, it being the specific intent of the Congress that effective postal services be insured to residents of both urban and rural communities" (39 U.S.C. 101(b)).

12. The closure of this post office, moreover, takes no account of the huge cost to the members of the community, the environmental impact, and effects upon the disabled, and those who do not have cars, the difficulties of getting to the Guerneville Post Office for residents who work, and the value of the many thousands of hours lost in wasted and unnecessary travel, and the environmental impact of the emissions from this added driving.

13. The Postal Service will not save money by moving petitioner's boxes to Guerneville. Whether the boxes are in Rio Nido or Guerneville, the postal service will still have to take the time to fill the boxes, and Rio Nido is already on the Postal Service delivery route. The Guerneville Post Office delivers mail to the residents and business in the Korbel area to the east of the Rio Nido community. The Guerneville Post Office also delivers to Rio Nido residents on the west side of Rio Nido Road in Rio Nido. Its deliveries surround, and yet exclude nearly all of Rio Nido. It will not cost the Postal Service any additional amounts to pick up and deliver mail to and from the Rio Nido community.

14. By contrast, the burdens placed on the 1,000 Rio Nido residents by this closure are huge. As above noted, residents will suffer from having to travel 12,000 extra miles a week. Meanwhile, the lower Russian River area will suffer 12,200 extra miles of pollution, traffic, and infrastructure, and impact. Those who can't drive, or do not own a vehicle, those are disabled, and those who cannot travel to the Post Office due to work responsibilities will pay the highest price. Every year, many of thousands of hours will be spent in unnecessary travel, at a cost to residents of well over \$100,000 a year.

15. In addition, for all of the above reasons, the Post Office closure is a violation of the National Environmental Policy Act. At a minimum, a complete environmental study is required before this closure is initiated. Yet, the Post Office has not performed a study or issued a negative declaration. Nor has it identified the significant environmental effect to be analyzed in an environmental impact report.

16. Petitioners are aware of at least two separate individuals who have interest in submitting bids for the contract to keep the Rio Nido Post Office open, but for reasons that have not been made clear, they were never allowed to engage in the bid process by the USPS district office in San Francisco, because the process was never opened up to consider applicants. The Rio Nido Post Office has been in operation for over 100 years. Nearly all of the homes in this community do not receive street delivery, and its removal would negatively affect hundreds of residents who rely on these vital

services. Thus, even if the Post Office is closed for services, mailbox delivery should continue, or curbside mailbox delivery should be provided.

17. The lack of due diligence shown by USPS with regard to the closure of this site in itself should be reason enough to reverse this decision. The boxes are slated to be removed on Friday, June 30th, 2017. We request this action be stopped until the proper review and procedure process has been completed with the required public comment period.

18. **About Friends of Rio Nido:** Friends of Rio Nido (FRN), a 501(c)3 non-profit organization, is devoted to serving the interests of the Rio Nido community through environmental protection, public service, preserving Rio Nido's historic and unique character, and other areas that enhance the quality of life for the community. More information about our organization can be found on the Friends of Rio Nido tab at rionido.net, or at friendsofrionido.com.

The FRN Board has five members and can be emailed at frnboard@rionido.net: Marsee Henon (President), Pip Marquez de la Plata (Vice President), Alexandra Goodman (Secretary), Ingrid Emming (Treasurer), and Kim Holliday (Communications). The FRN Board bylaws are posted online and the FRN federal tax ID or FEIN is 45-2587913.

19. **About Rio Nido Homeowners Association:** The Rio Nido Homeowners Association (RNHOA) was established almost 50 years ago to build and maintain the Homeowners' "volunteer" park and serve this community through sponsoring community events, supporting parks, seniors, improvements, toward the goal of a safe, secure, and friendly Rio Nido. The RNHOA relies on volunteers to do its work and each year sponsors at least five summer community events – the Memorial Day BBQ, July Pancake Breakfast, Independence Day Celebration, August Pancake Breakfast and Art Festival, Labor Day BBQ.

The Association is a non-profit organization. Each year its general meeting is held the last Saturday of August. Current officers: Douglas Misner, President, Troy Held, Vice President, Beverly Bird Misner, Secretary, John Calonico, Treasurer.

For all of the above reasons, petitioners request that the Postal Services' decision to close the Rio Nido Post Office be reviewed, and that pending review, the decision be stayed.

Dated July 3, 2017

Respectfully submitted,

/s/ Joseph Baxter

Joseph Baxter
Attorney for Petitioners